

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
DELTA DIVISION**

**CROP PRODUCTION SERVICES, INC.**

**PLAINTIFF**

**v.**

**No. 2:10cv105-DAS**

**BRUCE YANCEY doing business as  
YANCEY FARMS, Jointly and Severally, ET AL.**

**DEFENDANTS**

**ORDER**

Before the court are the plaintiff's Motion to Compel (# 22), Motion for Reconsideration (# 24), and Motion for Extension of Time to Designate Expert (# 25). First, the plaintiff seeks an order compelling the defendants to respond to interrogatories and requests for production that were served on September 22, 2010. Because the plaintiff has made good faith attempts to resolve this matter to no avail and because the defendants have failed to respond to the motion to compel, the motion is hereby GRANTED. The defendants are hereby ordered to serve complete responses (all objections having been waived) to the plaintiff's discovery requests within 7 calendar days from this date or risk the full panoply of sanctions described in FED. R. CIV. P. 37. Further, in accordance with Rule 37, the defendants and their counsel are hereby ordered to pay to the plaintiff its reasonable expenses, including attorney fees, incurred in prosecuting the instant motion. Plaintiff's counsel shall file an affidavit of fees and expenses within 7 days of this date. The defendants shall have 5 days from the filing of plaintiff's counsel's affidavit to file any response.

Next, though the plaintiff has not received any substantial discovery from the defendants in this case, its motion for reconsideration of the order denying the motion to extend the amendments deadline (# 20) is DENIED for the reasons announced in the court's previous order. However, this ruling is without prejudice to the plaintiff's right to seek leave to amend the complaint upon a showing of good cause after reviewing the delinquent discovery responses.

Finally, the plaintiff's motion for extension of the expert designation deadline is GRANTED, and the plaintiff shall designate any expert on or before February 18. The defendants shall designate any expert on or before March 4. The remaining scheduling order deadlines shall remain unchanged.

SO ORDERED this 21<sup>st</sup> day of January, 2011.

/s/ David A. Sanders  
U. S. Magistrate Judge